

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chairman Mike Milburn, on March 18, 2009 at 3:00 P.M., in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Mike Milburn, Chairman (R)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. JP Pomnichowski, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Brian Hoven (R)
Rep. Tom McGillvray (R)
Rep. Mike Menahan (D)
Rep. Scott Mendenhall (R)
Rep. Mike Miller (R)
Rep. Michele Reinhart (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)
Rep. Wendy Warburton (R)

Members Excused: None

Members Absent: None

Staff Present: Shirley Chovanak, Committee Secretary
Joe Kolman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 94, 3/11/2009; SB 200, 3/11/2009;
SB 396, 3/11/2009; SB 297,
3/11/2009; SB 246, 3/11/2009

Executive Action: None

00:00:01 Chairman Milburn

HEARING ON SB 94

Opening Statement by Sponsor:

00:01:52 Sen. Larry Jent (D), SD 32, opened the hearing on
SB 94, Revise closed water basin permitting laws.

Proponents' Testimony:

00:09:20 John Tubbs, Department of Natural Resources and
Conservation (DNR)

00:20:49 Krista Lee Evans, AGAI Association of Gallatin
Agriculture Irrigators (AGAI)

00:24:48 Mike Murphy, Montana Water Resource Association

00:25:11 John Youngberg, Montana Farm Bureau Federation

00:25:46 Holly Franz, PPL Montana

00:26:14 Bob Lane, Chief Counsel, Montana Fish, Wildlife, and
Parks

EXHIBIT (nah60a01)

00:29:30 Cliff Cox, Rancher, Broadwater County

Opponents' Testimony:

00:30:01 Abigail St. Lawrence, Montana Association of Realtors

EXHIBIT (nah60a02)

00:37:24 Ronda Wiggers, Montana Water Well Drillers Association

00:43:17 Rick Hill, Montana Building Industry Association

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:47 Rep. Cohenour

00:44:13 Ms. Evans

00:45:05 Rep. Cohenour

00:45:31 Ms. Evans

00:47:09 Rep. Cohenour

00:48:09 John Metesh, Montana Bureau of Mines and Geology

00:51:29 Rep. Cohenour

00:52:05 Mr. Metesh

00:53:06 Rep. Miller

00:53:42 Ms. Wiggers

00:53:58 Rep. Miller

00:54:04 Ms. Wiggers

00:54:14 Rep. Miller

00:54:28 Mr. Tubbs

00:55:37 Rep. Mendenhall

00:56:01 Mr. Tubbs
00:57:26 Rep. Mendenhall
00:57:51 Ms. Evans
00:58:34 Rep. Mendenhall
00:58:59 Ms. Evans
00:59:23 Rep. Mendenhall
00:59:34 Ms. Evans
00:59:53 Rep. Mendenhall
01:00:09 Ms. Franz
01:01:11 Rep. Mendenhall
01:01:34 Ms. Franz
01:02:49 Chairman Milburn
01:02:50 Mr. Tubbs
01:07:04 Rep. Vincent
01:07:21 Mr. Tubbs
01:08:53 Rep. Vincent
01:09:04 Mr. Tubbs
01:09:27 Rep. Warburton
01:09:49 Mr. Murphy
01:09:53 Rep. Warburton
01:10:09 Mr. Murphy
01:10:33 Mr. Tubbs
01:11:54 Chairman Milburn
01:12:16 Mr. Tubbs
01:13:59 Chairman Milburn
01:14:20 Mr. Tubbs
01:14:56 Chairman Milburn
01:14:57 Mr. Tubbs
01:15:34 Rep. Hoven
01:15:59 Ms. Wiggers
01:16:14 Rep. Hoven
01:16:20 Ms. Wiggers
01:17:40 Rep. Hendrick
01:18:24 Mr. Tubbs
01:21:46 Rep. Hendrick
01:22:32 Mr. Tubbs

Closing by Sponsor:

01:24:23 Sen. Jent
01:27:02 Rep. Milburn

HEARING ON SB 200

Opening Statement by Sponsor:

01:27:47 Sen. Ron Erickson (D), SD 47, opened the hearing on SB 200, Restrict phosphorous cleaning products in certain areas.

EXHIBIT (nah60a03)

Proponents' Testimony:

01:32:56 Jim Carlson, Water Division, Missoula City-County Health Department

EXHIBIT (nah60a04)

01:37:52 Brianna Randall, Clark Fork Coalition

EXHIBIT (nah60a05)

01:40:30 George Mathieus, Department of Environmental Quality

01:43:02 Jim Wilbur, Missoula County City-County Health Department

01:43:47 Linda Gryczen, Women's Voices for the Earth

01:44:24 Gordon Morris, Lewis & Clark County Commissioners

01:44:50 Casey Perkins, Montana Audubon

01:45:06 Mark Aagenes, Montana Trout Unlimited

01:45:52 Sarah Cobler, Montana Conservation Voters

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:46:52 Rep. Reinhart

01:47:03 Sen. Erickson

01:47:26 Chairman Milburn

01:47:38 Mr. Carlson

01:48:00 Chairman Milburn

01:48:12 Mr. Carlson

01:48:42 Rep. Hendrick

01:49:01 Mr. Carlson

01:49:23 Rep. McGillvray

01:49:41 Mr. Carlson

01:50:19 Rep. McGillvray

01:50:28 Mr. Carlson

01:51:03 Mr. Mathieus

EXHIBIT (nah60a06)

Closing by Sponsor:

01:51:37 Sen. Erickson

01:52:37 Break

02:04:02 Resume

02:04:03 Chairman Milburn

HEARING ON SB 396

Opening Statement by Sponsor:

02:04:31 Sen. Bob Story (R), SD 30, opened the hearing on SB 396, Alter criteria for permitting certain changes to points of diversion.

Proponents' Testimony:

02:08:31 Abigail St. Lawrence

Opponents' Testimony:

02:10:11 Ms. Franz

[EXHIBIT \(nah60a07\)](#)

02:14:18 Mr. Murphy

02:16:10 Mr. Lane

[EXHIBIT \(nah60a08\)](#)

02:19:47 Ms. Evans

02:20:48 Mr. Youngberg

02:21:21 Mr. Tubbs

02:23:33 Bob Goffena, Musselshell River

Informational Testimony: None

Questions from Committee Members and Responses:

02:25:27 Rep. Belcourt

02:25:47 Ms. Franz

02:26:37 Rep. Belcourt

02:27:07 Sen. Story

02:27:25 Rep. Cohenour

02:27:44 Sen. Story

02:29:00 Rep. Cohenour

Closing by Sponsor:

02:29:09 Sen. Story

HEARING ON SB 297

Opening Statement by Sponsor:

02:30:18 Sen. Cliff Larsen (D), SD 50, opened the hearing on
SB 297, Map state gravel resources.

Proponents' Testimony:

02:33:40 Mr. Metesh

EXHIBIT (nah60a09)

02:37:02 Myra Shults, Montana Association of Counties

02:37:58 Cary Hegreberg, Montana Contractors Association

02:38:59 Jacqueline Fikkema, Knife River

02:39:21 Ms. Perkins

02:39:53 Ms. Randall

Opponents' Testimony: None

Informational Testimony:

02:40:47 Neil Harrington, DEQ

Questions from Committee Members and Responses:

02:41:05 Rep. Miller

02:41:25 Sen. Larson

02:41:35 Rep. Miller

02:41:47 Sen. Larson

02:42:44 Rep. Miller

Closing by Sponsor:

02:43:03 Sen. Larson

HEARING ON SB 246

Opening Statement by Sponsor:

02:44:14 Sen. Gary Perry (R), SD 35, opened the hearing on
SB 246, Require signs on opencut operations.

Proponents' Testimony:

02:45:43 Ms. Fikkema

02:46:00 Ms. Shults

02:46:18 Mr. Hegreberg

Opponents' Testimony: None

Informational Testimony:

02:46:46 Mr. Harrington

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:47:05 Sen. Perry

02:47:20 Chairman Milburn

ADJOURNMENT

02:47:42 Adjournment: 5:50 P.M.

Shirley Chovanak, Secretary

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Additional Documents:

EXHIBIT ([nah60aad.pdf](#))